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July 16, 2015

Gary S. Pape  
GSP Consulting  
6676-C Garden Road  
Wilmington, NC 28411

**RE: Subdivision Review Board Approval - Summer Walk (SRB-1-715)**

Dear Mr. Pape:

On July 15, 2015 the Subdivision Review Board (SRB) conditionally approved the Preliminary Plan for 104 townhomes, 19 single-family homes, and two commercial buildings totaling 62,400 square feet on 26.25 acres located at 6120 Oleander Drive. The property is zoned O&I-1(CD) and MF-L (CD). Approval of the Preliminary Plan is subject to the following conditions:

1. The development of the subject property shall be in accordance with the preliminary plan as approved by the SRB.
2. The use and development of the subject property shall be limited to:
  - a. Two commercial buildings totaling not more than 62,400 square feet;
  - b. 104 attached townhome units; and
  - c. 19 single-family dwelling units.
3. Uses for the proposed commercial buildings shall be limited to the following:
  - a. Business services
  - b. Banking services
  - c. Restaurant, standard
  - d. Restaurant, carryout and fast food (limited to coffee shops or ice cream shops)
  - e. Microbrewery
  - f. Retail sales establishments, including specialty grocers and pharmacies
  - g. Medical office
  - h. Professional office
  - i. Personal services
4. Requirements of the approved Traffic Impact Analysis (TIA) may be phased. Phase I improvements must be completed prior to construction of the first phase of residential development of the site.
5. The developer shall coordinate with City Staff to construct a multi-use path along Greenville Loop Road in accordance with the approved 2014 Transportation Bond. The Technical Review Committee shall determine:
  - a. The location of any portion of the multi-use path; and

- b. The sufficiency of any alternative public bike facility and/or allow payment in lieu for constructing the bike lane on the eastern side of Greenville Loop Road.
6. All multi-family and office parking spaces shall be pervious material.
7. A shared parking agreement shall be executed between the owners in a tenure dictated by the city attorney.
8. The site shall be developed utilizing low impact design (LID) principles in accordance with the LDC.
9. No additional impervious surfaces shall be allowed on the site without additional review.
10. Impervious surfaces for the project shall be limited to 25% or less.
11. All regulated flowering trees and deciduous trees 10-inch caliper and below in size, targeted for removal, shall be spaded and relocated on site.
12. The developer shall dedicate right-of-way necessary to accommodate the future road improvements, when deemed necessary.
13. Project areas that are to incorporate xeric landscaping shall be clearly marked on the site plan with notes indicating such and a note stating that "All soil amendments and planting schedules shall be noted on the plan to properly verify the xeric landscaping techniques utilized" shall be included on all relevant plans. The developer shall consult with the Cooperative Extension Service for guidance.
14. The construction release documents and documents to be filed in the New Hanover County Registry shall note that, "The site will not be further developed with any additional impervious surfaces."
15. No auxiliary signs or freestanding pole signs shall be permitted on this site. The freestanding sign shall be a monument sign that complies with the LDC and shall have landscaping at the base of the sign.
16. The properties shall be recombined and recorded in the New Hanover County Registry.
17. The applicant shall provide access to any landlocked property to the Greenville-Meares Road.
18. All construction traffic associated with the site shall access the site from Oleander Drive.
19. Perpetual maintenance and upkeep of the open space and stormwater management ponds shall be provided by an incorporated Homeowners Association or by the developer and/or owners of the property.
20. Parking areas shall be reduced in proportion to any reduction in commercial space.
21. All requirements of the Land Development Code shall be met.
22. All local, state and federal requirements shall be met.
23. All TRC and SRB requirements and conditions shall be met.
24. All private streets shall remain open for full public access throughout the development.
25. A condition was added that all private streets shall remain open for full public access throughout the development. **APPROVED AS AMENDED, 5-0**

The vote of the SRB was as follows regarding your waiver request:

1. Waiver of the five hundred foot rule concerning length of a private drive from a public through street. **APPROVED, 5-0**
2. Waiver to allow private streets throughout the development and allow alternative street cross-sections as approved by the Technical Review Committee (TRC). **APPROVED, 5-0**

An appeal from a decision of the Subdivision Review Board shall be to the Planning Commission, provided written notice of the appeal is filed within twenty (20) days of the Board's action to the secretary of the Planning Commission. The appeal shall be set for hearing before the Planning Commission within thirty (30) days receipt of the appeal or as soon thereafter as is practicable.

The decision of the Planning Commission shall be subject to review by the New Hanover County Superior Court. The appellant must file a petition for judicial review in Superior Court within thirty (30) days of the Planning Commission's final decision. Failure to file such petition within the time frame stated shall bar Superior Court review.

Should you or any interested party elect not to file an appeal, approval of the Preliminary Plan is effective for a period of eighteen (18) months, or until January 15, 2017.

Development Services staff will be glad to assist you with site plan submission so that the necessary review can occur so you can obtain release for construction. Prior to the start of construction activity on the site, City issuance of a clearing and grading release is required. If you need additional information, please contact me at 342-2782.

Sincerely,  
*Brian Chambers*  
Brian Chambers  
Associate Planner

Cc: Howard Penton, Penton Development